

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YOSSEF KAHLON,

Plaintiff,

-against-

COUNTY OF NASSAU, JOHN/JANE DOE Members
of the Nassau County District Attorney's Office,
CÉLINE BOULBEN, and JOHN/JANES DOE
“#METOO” ORGANIZATION(S)

Defendants.

Case No.: 24-CV-2439

NOTICE OF REMOVAL

CÉLINE BOULBEN,

Counterclaim-Plaintiff,

-against-

YOSSEF KHALON,

Counterclaim-Defendant.

PLEASE TAKE NOTICE that Defendant/Counterclaim-Plaintiff, Céline Boulben, by her undersigned counsel, pursuant to 28 U.S.C. Sections 1331, 1367, 1441, and 1446, hereby remove this action from the Supreme Court of the State of New York, Nassau County, where it is now pending, to the United States District Court of the Eastern District of New York. In support of her petition for removal, Defendant/Counterclaim-Plaintiff Boulben states as follows:

1. On February 28, 2024, Plaintiff Yossef Kahlon commenced an action in the Supreme Court of the State of New York, County of Nassau, captioned “*Yossef Kahlon v. County of Nassau, John/Jane Doe Members of the Nassau County District Attorney’s Office, Celine Boulben, and John/Jane Doe “#MeToo” Organization(s)*,” by service of on February 29, 2024, of a Summons and Complaint (of which true and correct copies are attached hereto as Exhibit A and B) (“The Summons and Complaint”) by personal

service on Defendants John/Jane Doe Members of the Nassau County District Attorney's Office and County of Nassau (collectively referred to herein as the "County") at 1 West St, Mineola, NY 11501.

2. On February 29, 2024, Plaintiff attempted service of the Summons and Complaint on Defendant/Counterclaim-Plaintiff Boulben by affixing a true copy of each to the door Defendant/Counterclaim-Plaintiff Boulben's residence. Subsequently, on March 11, 2024, Plaintiff served Boulben by personal service at Defendant/Counterclaim-Plaintiff Boulben's residence. To date, Plaintiff has not filed an affidavit of service. The status of service on the remaining Defendant John/Jane Doe "#MeToo" Organization(s) is unknown. No further proceedings have been held herein.
3. The action pending in the state court is a civil action alleging, *inter alia*, a violation of civil rights under federal and state law. Namely, the alleged causes of action include civil rights violations and various constitutional deprivation of rights pursuant to 42 U.S.C. § 1983, *inter alia*, for malicious prosecution and false arrest.¹ Additionally, Plaintiff alleges various causes of action arising under state law, *inter alia*, for malicious prosecution, false arrest, and conspiracy. Defendant/Counterclaim-Plaintiff Boulben filed her answer on April 1, 2024, in the Supreme Court of New York, County of Nassau (of which a true and correct copy is attached hereto as Exhibit C).
4. Removal is appropriate pursuant to 28 U.S.C. § 1441(c). This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 because the alleged civil action arises under the laws of the United States, which constitutes federal question jurisdiction.

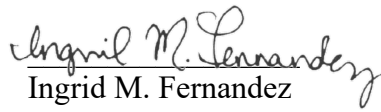
¹ Plaintiff's Summons and Complaint is devoid of citations to the federal statutes which give rise to the alleged federal claims.

This Court, within its discretion, may exercise supplemental jurisdiction on Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.

5. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), as it is filed within 30 days of service of the Summons and Complaint on this Defendant/Counterclaim-Plaintiff. Because defendants were served at different times and Defendant/Counterclaim-Plaintiff Boulben is the later served defendant, any earlier-served defendant may consent to removal even though that earlier-served defendant did not previously initiate or consent to removal pursuant to 28 U.S.C. § 1446(c).
6. Defendant/Counterclaim-Plaintiff Boulben will provide written notice of the filing of this Notice of Removal and will provide a copy of same to the Clerk of the Supreme Court of New York, County of Nassau, as required by 28 U.S.C. § 1446(b).

Dated: Brooklyn, New York
April 1, 2024

Respectfully submitted,



Ingrid M. Fernandez

Hilary J. Orzick

Crumiller P.C.

16 Court St, Ste 2500

Brooklyn, NY 11241

(212) 390-8480

ingrid@crumiller.com

hilary@crumiller.com

*Attorneys for Defendant-Counterclaim-
Plaintiff Céline Boulben*